

1 EDMUND G. BROWN JR.
2 Attorney General of the State of California
2 DAVID S. CHANEY
3 Chief Assistant Attorney General
3 FRANCES T. GRUNDER
4 Senior Assistant Attorney General
4 JONATHAN L. WOLFF
5 Supervising Deputy Attorney General
5 SCOTT J. FEUDALE, State Bar No. 242671
6 Deputy Attorney General
6 455 Golden Gate Avenue, Suite 11000
7 San Francisco, CA 94102-7004
7 Telephone: (415) 703-5871
8 Fax: (415) 703-5843
8 Email: Scott.Feudale@doj.ca.gov

9 Attorneys for Defendant Michael S. Evans^{1/}

10

11

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

12

LARRY DEAN PADILLA,

Plaintiff,

13

14

v.

15

M. S. EVANS,

Defendants.

16

17

CASE NO. C 06-1725 MJJ

DEFENDANT'S EX PARTE
REQUEST FOR EXTENSION
OF TIME TO FILE THEIR
MOTION FOR SUMMARY
JUDGMENT

18

19

20 Defendant Evans, for the reasons more fully set forth in the accompanying declaration of
21 counsel, respectfully requests a 90-day extension of time, up to and including May 26, 2008, to

22 ///

23 ///

24 ///

25 ///

26

27 1. To the best knowledge of the Attorney General's Office Defendant D.M. Mantel has not
28 been served with a copy of Plaintiff's First Amended Complaint. Accordingly no appearance is
entered on behalf of Defendant Mantel at this time.

1 file their motion for summary judgment.

2 Dated: February 25, 2008

3 Respectfully submitted,

4 EDMUND G. BROWN JR.
5 Attorney General of the State of California

6 DAVID S. CHANEY
7 Chief Assistant Attorney General

8 FRANCES T. GRUNDER
9 Senior Assistant Attorney General

10 JONATHAN L. WOLFF
11 Supervising Deputy Attorney General



12 SCOTT J. FEUDALE
13 Deputy Attorney General
14 Attorneys for Defendant Evans

15 40221010.wpd
16 SF2006200423

DECLARATION OF SERVICE BY U.S. MAIL

Case Name: **Padilla v. Evans**

No.: **C 06-1725 MJJ**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On February 25, 2008, I served the attached

DEFENDANT'S EX PARTE REQUEST FOR EXTENSION OF TIME TO FILE THEIR MOTION FOR SUMMARY JUDGMENT

DECLARATION OF SCOTT J. FEUDALE IN SUPPORT OF DEFENDANT'S EX PARTE REQUEST FOR EXTENSION OF TIME TO FILE THEIR MOTION FOR SUMMARY JUDGMENT

[PROPOSED] ORDER GRANTING DEFENDANT'S EX PARTE REQUEST FOR EXTENSION OF TIME TO FILE THEIR MOTION FOR SUMMARY JUDGMENT

by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004, addressed as follows:

Larry D. Padilla (P-05966)
Salinas Valley State Prison
P. O. Box 1020
Soledad, CA 93960-1020
In Pro Per

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on February 25, 2008, at San Francisco, California.

M. Luna

Declarant



Signature